

231.44 Resident advocate committee — duties — disclosure — liability.

1. The resident advocate committee volunteer program is administered by the office of the long-term care resident's advocate. The state and any local long-term care resident's advocate shall provide information, assistance, and support to resident advocate committee program volunteers to the extent possible. If funding becomes insufficient to process applications and new appointments to resident advocate committees can no longer be made, the director shall notify the director of the department of inspections and appeals. A health care facility shall not be found in violation of section 135C.25 for not having a resident advocate committee if new appointments cannot be made as documented in accordance with this subsection.

2. The responsibilities of the resident advocate committee are in accordance with the rules adopted by the commission pursuant to chapter 17A. When adopting the rules, the commission shall consider the needs of residents of elder group homes as defined in section 231B.1 and each category of licensed health care facility as defined in section 135C.1, subsection 6, and the services each facility may render. The commission shall coordinate the development of appropriate rules with other state agencies.

3. An elder group home or long-term care facility shall disclose the names, addresses, and phone numbers of a resident's family members, if requested, to a resident advocate committee member, unless permission for this disclosure is refused in writing by a family member.

4. The state, any resident advocate committee member, and any local long-term care resident's advocate are not liable for an action undertaken by a resident advocate committee member or a local long-term care resident's advocate in the performance of duty, if the action is undertaken and carried out reasonably and in good faith.

86 Acts, ch 1245, §1018

C87, §249D.44

87 Acts, ch 70, §2; 88 Acts, ch 1068, §3

C93, §231.44

94 Acts, ch 1170, §46; 99 Acts, ch 129, §14; 2003 Acts, ch 141, §12; 2004 Acts, ch 1090, §13; 2005 Acts, ch 45, §12; 2009 Acts, ch 23, §31; 2010 Acts, ch 1062, §8

Referred to in §135C.25